

[COMMITTEE PRINT]

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Calendar No.

97TH CONGRESS
1ST SESSION

H. R.

[Report No. 97-]

IN THE SENATE OF THE UNITED STATES

NOVEMBER (legislative day, NOVEMBER), 1981
Read twice and referred to the Committee on Appropriations

NOVEMBER (legislative day, NOVEMBER), 1981

Reported by Mr. HATFIELD, with amendments

[Omit the part struck through and insert the part printed in italic]

AN ACT

Making appropriations for the Department of Defense for the fiscal year ending September 30, 1982, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

J. 86-502—O—1

1 That the following sums are appropriated, out of any money
2 in the Treasury not otherwise appropriated, for the fiscal
3 year ending September 30, 1982, for military functions ad-
4 ministered by the Department of Defense, and for other pur-
5 poses, namely:

6 TITLE I

7 MILITARY PERSONNEL

8 MILITARY PERSONNEL, ARMY

9 For pay, allowances, individual clothing, subsistence, in-
10 terest on deposits, gratuities, permanent change of station
11 travel (including all expenses thereof for organizational
12 movements), and expenses of temporary duty travel between
13 permanent duty stations, for members of the Army on active
14 duty (except members of reserve components provided for
15 elsewhere), cadets, and aviation cadets; ~~\$12,278,300,000~~
16 \$14,095,781,000.

17 MILITARY PERSONNEL, NAVY

18 For pay, allowances, individual clothing, subsistence, in-
19 terest on deposits, gratuities, permanent change of station
20 travel (including all expenses thereof for organizational
21 movements), and expenses of temporary duty travel between
22 permanent duty stations, for members of the Navy on active
23 duty (except members of the Reserve provided for else-
24 where), midshipmen, and aviation cadets; ~~\$8,807,520,000~~
25 \$10,453,767,000.

1 MILITARY PERSONNEL, MARINE CORPS

2 For pay, allowances, individual clothing, subsistence, in-
3 terest on deposits, gratuities, permanent change of station
4 travel (including all expenses thereof for organizationl move-
5 ments), and expenses of temporary duty travel between per-
6 manent duty stations, for members of the Marine Corps on
7 active duty (except members of the Reserve provided for
8 elsewhere); ~~\$2,703,970,000~~ \$3,151,526,000.

9 MILITARY PERSONNEL, AIR FORCE

10 For pay, allowances, individual clothing, subsistence, in-
11 terest on deposits, gratuities, permanent change of station
12 travel (including all expenses thereof for organizational
13 movements), and expenses of temporary duty travel between
14 permanent duty stations, for members of the Air Force on
15 active duty (except members of reserve components provided
16 for elsewhere), cadets, and aviation cadets; ~~\$10,209,920,000~~
17 \$11,688,381,000.

18 RESERVE PERSONNEL, ARMY

19 For pay, allowances, clothing, subsistence, gratuities,
20 travel, and related expenses for personnel of the Army Re-
21 serve on active duty under sections 265, 3019, and 3033 of
22 title 10, United States Code, or while serving on active duty
23 under section 672(d) of title 10, United States Code, in con-
24 nection with performing duty specified in section 678(a) of
25 title 10, United States Code, or while undergoing reserve

1 training, or while performing drills or equivalent duty or
2 other duty, and for members of the Reserve Officers' Train-
3 ing Corps, and expenses authorized by section 2131 of title
4 10, United States Code, as authorized by law; ~~\$962,500,000~~
5 *\$1,054,750,000.*

6 RESERVE PERSONNEL, NAVY

7 For pay, allowances, clothing, subsistence, gratuities,
8 travel, and related expenses for personnel of the Naval Re-
9 serve on active duty under section 265 of title 10, United
10 States Code, or personnel while serving on active duty under
11 section 672(d) of title 10, United States Code, in connection
12 with performing duty specified in section 678(a) of title 10,
13 United States Code, or while undergoing reserve training, or
14 while performing drills or equivalent duty, and for members
15 of the Reserve Officers' Training Corps, and expenses au-
16 thorized by section 2131 of title 10, United States Code, as
17 authorized by law; ~~\$346,420,000~~ *\$361,643,000: Provided,*
18 That funds made available for fiscal year 1982 for "Reserve
19 Personnel, Navy" may be transferred to the appropriation
20 Reserve Personnel, Navy for fiscal year 1979, in such
21 amounts as may be needed, but not to exceed \$100,000 to
22 liquidate obligations incurred and chargeable to that account.

23 RESERVE PERSONNEL, MARINE CORPS

24 For pay, allowances, clothing, subsistence, gratuities,
25 travel, and related expenses for personnel of the Marine

1 Corps Reserve on active duty under section 265 of title 10,
2 United States Code, or while serving on active duty under
3 section 672(d) of title 10, United States Code, in connection
4 with performing duty specified in section 678(a) of title 10,
5 United States Code, or while undergoing reserve training, or
6 while performing drills or equivalent duty, and for members
7 of the Marine Corps platoon leaders class, and expenses au-
8 thorized by section 2131 of title 10, United States Code, as
9 authorized by law; ~~\$138,120,000~~ \$152,212,000.

10 RESERVE PERSONNEL, AIR FORCE

11 For pay, allowances, clothing, subsistence, gratuities,
12 travel, and related expenses for personnel of the Air Force
13 Reserve on active duty under sections 265, 8019, and 8033
14 of title 10, United States Code, or while serving on active
15 duty under section 672(d) of title 10, United States Code, in
16 connection with performing duty specified in section 678(a) of
17 title 10, United States Code, or while undergoing reserve
18 training, or while performing drills or equivalent duty or
19 other duty, and for members of the Air Reserve Officers'
20 Training Corps, and expenses authorized by section 2131 of
21 title 10, United States Code, as authorized by law;
22 ~~\$291,548,000~~ \$326,399,000.

23 NATIONAL GUARD PERSONNEL, ARMY

24 For pay, allowances, clothing, subsistence, gratuities,
25 travel, and related expenses for personnel of the Army Na-

1 tional Guard while on duty under sections 265, 3033, or
2 3496 of title 10 or section 708 of title 32, United States
3 Code, or while serving on active duty under section 672(d) of
4 title 10 or section 502(f) of title 32, United States Code, in
5 connection with performing duty specified in section 678(a) of
6 title 10, United States Code, or while undergoing training, or
7 while performing drills or equivalent duty or other duty, and
8 expenses authorized by section 2131 of title 10, United
9 States Code, as authorized by law; ~~\$1,287,600,000~~
10 \$1,468,136,000.

11 NATIONAL GUARD PERSONNEL, AIR FORCE

12 For pay, allowances, clothing, subsistence, gratuities,
13 travel, and related expenses for personnel of the Air National
14 Guard on duty under sections 265, 8033, or 8496 of title 10
15 or section 708 of title 32, United States Code, or while serv-
16 ing on active duty under section 672(d) of title 10 or section
17 502(f) of title 32, United States Code, in connection with
18 performing duty specified in section 678(a) of title 10, United
19 States Code, or while undergoing training, or while perform-
20 ing drills or equivalent duty or other duty, and expenses au-
21 thorized by section 2131 of title 10, United States Code, as
22 authorized by law; ~~\$421,392,000~~ \$475,078,000.

7

1

TITLE II

2

RETIRED MILITARY PERSONNEL

3

RETIRED PAY, DEFENSE

4

For retired pay and retirement pay, as authorized by law, of military personnel on the retired lists of the Army, Navy, Marine Corps, and Air Force, including the reserve components thereof, retainer pay for personnel of the Inactive Fleet Reserve, and payments under section 4 of Public Law 92-425 and chapter 73 of title 10, United States Code;

10 ~~\$14,931,815,000~~ \$14,944,815,000.

11

TITLE III

12

OPERATION AND MAINTENANCE

13

OPERATION AND MAINTENANCE, ARMY

14

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed \$5,400,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes; ~~\$14,788,712,000~~ \$15,351,400,000, of which not less than ~~\$898,600,000~~ \$998,600,000 shall be available only for the maintenance of real property facilities.

24

ARMY STOCK FUND

25

For the Army stock fund, ~~\$163,300,000~~ \$211,300,000.

1 OPERATION AND MAINTENANCE, NAVY

2 For expenses, not otherwise provided for, necessary for
3 the operation and maintenance of the Navy and the Marine
4 Corps, as authorized by law; and not to exceed \$1,899,000
5 can be used for emergencies and extraordinary expenses, to
6 be expended on the approval or authority of the Secretary of
7 the Navy, and payments may be made on his certificate of
8 necessity for confidential military purposes; ~~\$19,258,970,000~~
9 ~~\$19,880,389,000~~, of which not less than ~~\$646,500,000~~
10 ~~\$736,800,000~~ shall be available only for the maintenance of
11 real property facilities: *Provided*, That of the total amount of
12 this appropriation made available for the alteration, overhaul,
13 and repair of naval vessels, not more than \$2,800,000,000
14 shall be available for the performance of such work in Navy
15 shipyards: ~~*Provided further*, That not less than~~
16 ~~\$3,699,700,000~~ of this appropriation shall be available only
17 for regularly scheduled ship overhauls, restricted availabil-
18 ities and expenses associated with the installation of equip-
19 ment, improvements, and modifications scheduled to be ac-
20 complished concurrently during an overhaul or restricted
21 availability of which not less than \$24,000,000 shall be
22 available for such work at the Ship Repair Facilities, Guam:
23 ~~*Provided further*, That such amounts of the funds available~~
24 ~~for work only at the Ship Repair Facilities, Guam, may be~~
25 used for work in other Navy shipyards in amounts equal to

1 the amount of work placed at the Ship Repair Facilities,
2 Guam, funded from other sources: *Provided further*, That not
3 less than \$59,000,000 shall be available only for payments in
4 support of the LEASAT program in accordance with the
5 terms of the *Aide Memoire*, dated January 5, 1981.

6 NAVY STOCK FUND

7 For the Navy stock fund, ~~\$5,435,000~~ \$17,435,000.

8 OPERATION AND MAINTENANCE, MARINE CORPS

9 For expenses, not otherwise provided for, necessary for
10 the operation and maintenance of the Marine Corps, as au-
11 thorized by law; ~~\$1,169,240,000~~ \$1,186,440,000, of which
12 not less than \$176,800,000 shall be available only for the
13 maintenance of real property facilities.

14 MARINE CORPS STOCK FUND

15 For the Marine Corps stock fund, \$13,334,000.

16 OPERATION AND MAINTENANCE, AIR FORCE

17 For expenses, not otherwise provided for, necessary for
18 the operation and maintenance of the Air Force, as author-
19 ized by law; and not to exceed \$4,091,000 can be used for
20 emergencies and extraordinary expenses, to be expended on
21 the approval or authority of the Secretary of the Air Force,
22 and payments may be made on his certificate of necessity
23 for confidential military purposes; ~~\$15,895,276,000~~, of
24 which not less than \$46,800,000 shall be available only for
25 the installation of modification kits into KC-135 aircraft

1 \$16,903,069,000, and not less than \$1,000,300,000 shall be
2 available only for the maintenance of real property facilities.

3 AIR FORCE STOCK FUND

4 For the Air Force stock fund, ~~\$67,800,000~~
5 \$107,800,000.

6 OPERATION AND MAINTENANCE, DEFENSE AGENCIES

7 For expenses, not otherwise provided for, necessary for
8 the operation and maintenance of activities and agencies of
9 the Department of Defense (other than the military depart-
10 ments), as authorized by law; ~~\$4,941,470,000~~
11 \$4,778,000,000: *Provided*, That not to exceed \$5,812,000
12 can be used for emergencies and extraordinary expenses, to
13 be expended on the approval or authority of the Secretary of
14 Defense, and payments may be made on his certificate of
15 necessity for confidential military purposes: *Provided further*,
16 That not less than \$72,400,000 of the total amount of this
17 appropriation shall be available only for the maintenance of
18 real property facilities.

19 DEFENSE STOCK FUND

20 For the Defense stock fund, ~~\$59,000,000~~ \$79,000,000.

21 OPERATION AND MAINTENANCE, ARMY RESERVE

22 For expenses, not otherwise provided for, necessary for
23 the operation and maintenance, including training, organiza-
24 tion, and administration, of the Army Reserve; repair of facil-
25 ities and equipment; hire of passenger motor vehicles; travel

1 and transportation; care of the dead; recruiting; procurement
2 of services, supplies, and equipment; and communications;
3 ~~\$661,635,000~~ \$619,700,000, of which not less than
4 \$39,000,000 shall be available only for the maintenance of
5 real property facilities.

6 OPERATION AND MAINTENANCE, NAVY RESERVE

7 For expenses, not otherwise provided for, necessary for
8 the operation and maintenance, including training, organiza-
9 tion, and administration, of the Navy Reserve; repair of facil-
10 ities and equipment; hire of passenger motor vehicles; travel
11 and transportation; care of the dead; recruiting; procurement
12 of services, supplies, and equipment; and communications;
13 ~~\$585,540,000~~ \$565,540,000, of which not less than
14 \$28,200,000 shall be available only for the maintenance of
15 real property facilities.

16 OPERATION AND MAINTENANCE, MARINE CORPS

17 RESERVE

18 For expenses, not otherwise provided for, necessary for
19 the operation and maintenance, including training, organiza-
20 tion, and administration, of the Marine Corps Reserve; repair
21 of facilities and equipment; hire of passenger motor vehicles;
22 travel and transportation; care of the dead; recruiting; pro-
23 curement of services, supplies, and equipment; and communi-
24 cations; ~~\$40,299,000~~ \$40,799,000, of which not less than

1 \$1,400,000 shall be available only for the maintenance of
2 real property facilities.

3 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

4 For expenses, not otherwise provided for, necessary for
5 the operation and maintenance, including training, organiza-
6 tion, and administration, of the Air Force Reserve; repair of
7 facilities and equipment; hire of passenger motor vehicles;
8 travel and transportation; care of the dead; recruiting; pro-
9 curement of services, supplies, and equipment; and communi-
10 cations; ~~\$668,454,000~~ \$682,608,000, of which not less than
11 \$15,300,000 shall be available only for the maintenance of
12 real property facilities.

13 OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

14 For expenses of training, organizing, and administering
15 the Army National Guard, including medical and hospital
16 treatment and related expenses in non-Federal hospitals;
17 maintenance, operation, and repairs to structures and facili-
18 ties; hire of passenger motor vehicles; personnel services in
19 the National Guard Bureau; travel expenses (other than mile-
20 age), as authorized by law for Army personnel on active
21 duty, for Army National Guard division, regimental, and bat-
22 talion commanders while inspecting units in compliance with
23 National Guard regulations when specifically authorized by
24 the Chief, National Guard Bureau; supplying and equipping
25 the Army National Guard as authorized by law; and ex-

13

1 penses of repair, modification, maintenance, and issue of sup-
2 plies and equipment (including aircraft); ~~\$1,087,250,000~~
3 ~~\$1,047,600,000~~, of which not less than \$27,000,000 shall be
4 available only for the maintenance of real property facilities.

5 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

6 For operation and maintenance of the Air National
7 Guard, including medical and hospital treatment and related
8 expenses in non-Federal hospitals; maintenance, operation,
9 repair, and other necessary expenses of facilities for the
10 training and administration of the Air National Guard, in-
11 cluding repair of facilities, maintenance, operation, and modi-
12 fication of aircraft; transportation of things; hire of passenger
13 motor vehicles; supplies, materials, and equipment, as au-
14 thorized by law for the Air National Guard; and expenses
15 incident to the maintenance and use of supplies, materials,
16 and equipment, including such as may be furnished from
17 stocks under the control of agencies of the Department of
18 Defense; travel expenses (other than mileage) on the same
19 basis as authorized by law for Air National Guard personnel
20 on active Federal duty, for Air National Guard commanders
21 while inspecting units in compliance with National Guard
22 regulations when specifically authorized by the Chief, Na-
23 tional Guard Bureau; ~~\$1,643,818,000~~ \$1,682,568,000, of
24 which not less than \$37,300,000 shall be available only for
25 the maintenance of real property facilities.

1 NATIONAL BOARD FOR THE PROMOTION OF RIFLE
2 PRACTICE, ARMY

3 For the necessary expenses, in accordance with law, for
4 construction, equipment, and maintenance of rifle ranges; the
5 instruction of citizens in marksmanship; the promotion of rifle
6 practice; and the travel of rifle teams, military personnel, and
7 individuals attending regional, national, and international
8 competitions; \$845,000, of which not to exceed \$7,500 shall
9 be available for incidental expenses of the National Board;
10 and from other funds provided in this Act, not to exceed
11 \$340,000 worth of ammunition may be issued under authori-
12 ty of title 10, United States Code, section 4311: *Provided,*
13 That competitors at national matches under title 10, United
14 States Code, section 4312, may be paid subsistence and
15 travel allowances in excess of the amounts provided under
16 title 10, United States Code, section 4313.

17 CLAIMS, DEFENSE

18 For payment, not otherwise provided for, of claims au-
19 thorized by law to be paid by the Department of Defense
20 (except for civil functions), including claims for damages aris-
21 ing under training contracts with carriers, and repayment of
22 amounts determined by the Secretary concerned, or officers
23 designated by him, to have been erroneously collected from
24 military and civilian personnel of the Department of Defense,
25 or from States, territories, or the District of Columbia, or

15

1 members of the National Guard units thereof; ~~\$155,700,000~~
2 ~~\$198,200,000~~.

3 COURT OF MILITARY APPEALS, DEFENSE

4 For salaries and expenses necessary for the United
5 States Court of Military Appeals; \$2,607,000, and not to
6 exceed \$1,500 can be used for official representation pur-
7 poses.

8 TITLE IV

9 PROCUREMENT

10 AIRCRAFT PROCUREMENT, ARMY

11 For construction, procurement, production, modification,
12 and modernization of aircraft, equipment, including ordnance,
13 ground handling equipment, spare parts, and accessories
14 therefor; specialized equipment and training devices; expan-
15 sion of public and private plants, including the land necessary
16 therefor, without regard to section 4774, title 10, United
17 States Code, for the foregoing purposes, and such lands and
18 interests therein, may be acquired, and construction prosecut-
19 ed thereon prior to approval of title as required by section
20 355, Revised Statutes, as amended; and procurement and in-
21 stallation of equipment, appliances, and machine tools in
22 public and private plants; reserve plant and Government and
23 contractor-owned equipment layaway; and other expenses
24 necessary for the foregoing purposes; ~~\$1,775,100,000~~

16

1 \$1,942,900,000, to remain available for obligation until Sep-
2 tember 30, 1984.

3 MISSILE PROCUREMENT, ARMY

4 For construction, procurement, production, modification,
5 and modernization of missiles, equipment, including ord-
6 nance, ground handling equipment, spare parts, and accesso-
7 ries therefor; specialized equipment and training devices; ex-
8 pansion of public and private plants, including the land neces-
9 sary therefor, without regard to section 4774, title 10,
10 United States Code, for the foregoing purposes, and such
11 lands and interests therein, may be acquired, and construc-
12 tion prosecuted thereon prior to approval of title as required
13 by section 355, Revised Statutes, as amended; and procure-
14 ment and installation of equipment, appliances, and machine
15 tools in public and private plants; reserve plant and Govern-
16 ment and contractor-owned equipment layaway; and other
17 expenses necessary for the foregoing purposes;
18 ~~\$2,131,200,000~~ \$2,180,200,000, to remain available for ob-
19 ligation until September 30, 1984.

20 PROCUREMENT OF WEAPONS AND TRACKED COMBAT

21 VEHICLES, ARMY

22 For construction, procurement, production, and modifi-
23 cation of weapons and tracked combat vehicles, equipment,
24 including ordnance, spare parts, and accessories therefor;
25 specialized equipment and training devices; expansion of

17

1 public and private plants, including the land necessary there-
2 for, without regard to section 4774, title 10, United States
3 Code, for the foregoing purposes, and such lands and inter-
4 ests therein may be acquired, and construction prosecuted
5 thereon prior to approval of title as required by section 355,
6 Revised Statutes, as amended; and procurement and installa-
7 tion of equipment, appliances, and machine tools in public
8 and private plants; reserve plant and Government and con-
9 tractor-owned equipment layaway; and other expenses neces-
10 sary for the foregoing purposes; ~~\$3,806,200,000, of which~~
11 ~~\$1,000,000 shall be available only for the continued testing~~
12 ~~and evaluation of 9 mm handguns without delay~~
13 \$3,963,600,000, to remain available for obligation until Sep-
14 tember 30, 1984.

15 PROCUREMENT OF AMMUNITION, ARMY

16 For construction, procurement, production, and modifi-
17 cation of ammunition, and accessories therefor; specialized
18 equipment and training devices; expansion of public and pri-
19 vate plants, including ammunition facilities authorized in mil-
20 itary construction authorization Acts or authorized by section
21 2673, title 10, United States Code, and the land necessary
22 therefor, without regard to section 4774, title 10, United
23 States Code, for the foregoing purposes, and such lands and
24 interests therein, may be acquired, and construction prosecut-
25 ed thereon prior to approval of title as required by section

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1 355, Revised Statutes, as amended; and procurement and in-
2 stallation of equipment, appliances, and machine tools in
3 public and private plants; reserve plant and Government and
4 contractor-owned equipment layaway; and other expenses
5 necessary for the foregoing purposes; ~~\$2,350,000,000~~
6 \$2,341,400,000, to remain available for obligation until Sep-
7 tember 30, 1984.

8 OTHER PROCUREMENT, ARMY

9 For construction, procurement, production, and modifi-
10 cation of vehicles, including tactical, support (including not to
11 exceed 14 vehicles required for physical security of personnel
12 notwithstanding price limitations applicable to passenger car-
13 rying vehicles but not to exceed \$100,000 per vehicle), and
14 nontracked combat vehicles; the purchase of not to exceed
15 two thousand seven hundred and fifteen passenger motor ve-
16 hicles for replacement only; communications and electronic
17 equipment; other support equipment; spare parts, ordnance
18 and accessories therefor; specialized equipment and training
19 devices; expansion of public and private plants, including the
20 land necessary therefor, without regard to section 4774, title
21 10, United States Code, for the foregoing purposes, and such
22 lands and interests therein, may be acquired, and construc-
23 tion prosecuted thereon prior to approval of title as required
24 by section 355, Revised Statutes, as amended; and procure-
25 ment and installation of equipment, appliances, and machine

1 tools in public and private plants; reserve plant and Govern-
2 ment and contractor-owned equipment layaway; and other
3 expenses necessary for the foregoing purposes;
4 ~~\$3,804,300,000~~ \$3,732,071,000, to remain available for ob-
5 ligation until September 30, 1984.

6 AIRCRAFT PROCUREMENT, NAVY

7 For construction, procurement, production, modification,
8 and modernization of aircraft, equipment including ordnance,
9 spare parts, and accessories therefor; specialized equipment;
10 expansion of public and private plants, including the land
11 necessary therefor, and such lands and interests therein, may
12 be acquired, and construction prosecuted thereon prior to ap-
13 proval of title as required by section 355, Revised Statutes,
14 as amended; and procurement and installation of equipment,
15 appliances, and machine tools in public and private plants;
16 reserve plant and Government and contractor-owned equip-
17 ment layaway; ~~\$8,946,800,000~~ \$9,442,400,000, of which
18 \$37,000,000 shall be available only for purchase of C-2 air-
19 craft under a multiyear contract, to remain available for obli-
20 gation until September 30, 1984.

21 WEAPONS PROCUREMENT, NAVY

22 For construction, procurement, production, modification,
23 and modernization of missiles, torpedoes, other weapons, and
24 related support equipment including spare parts, and accesso-
25 ries therefor; expansion of public and private plants, including

1 the land necessary therefor, and such lands and interests
2 therein, may be acquired, and construction prosecuted there-
3 on prior to approval of title as required by section 355, Re-
4 vised Statutes, as amended; and procurement and installation
5 of equipment, appliances, and machine tools in public and
6 private plants; reserve plant and Government and contractor-
7 owned equipment layaway; ~~\$3,196,100,000~~ \$3,330,100,000,
8 to remain available for obligation until September 30, 1984.

9 SHIPBUILDING AND CONVERSION, NAVY

10 (INCLUDING TRANSFER OF FUNDS)

11 For expenses necessary for the construction, acquisition,
12 or conversion of vessels as authorized by law, including
13 armor and armament thereof, plant equipment, appliances,
14 and machine tools and installation thereof in public and pri-
15 vate plants; reserve plant and Government and contractor-
16 owned equipment layaway; procurement of critical, long
17 leadtime components and designs for vessels to be construct-
18 ed or converted in the future; and expansion of public and
19 private plants, including land necessary therefor, and such
20 lands and interests therein, may be acquired, and construc-
21 tion prosecuted thereon prior to approval of title as required
22 by section 355, Revised Statutes, as amended, as follows: for
23 the Trident submarine program, ~~\$230,700,000~~
24 \$330,700,000; for the CVN aircraft carrier program,
25 ~~\$475,000,000~~ \$658,000,000; for the SSN-688 nuclear

1 attack submarine program, ~~\$1,167,000,000~~ \$1,351,000,000;
 2 for the reactivation of the U.S.S. New Jersey,
 3 \$237,000,000; ~~for the reactivation of the U.S.S. Iowa,~~
 4 ~~\$88,000,000;~~ for the aircraft carrier service life extension
 5 program, ~~\$81,000,000~~ \$100,800,000; for the CG-47
 6 AEGIS cruiser program, ~~\$2,929,300,000~~ \$2,946,300,000;
 7 for the LSD-41 landing ship dock program, \$301,000,000;
 8 *for the LHA/LHDX helicopter assault ship program,*
 9 *\$45,000,000;* for the FFG guided missile frigate program,
 10 ~~\$926,100,000~~ \$971,900,000; for the MCM mine counter-
 11 measures ship program, ~~\$99,700,000;~~ *for the T-AKX mari-*
 12 *time prepositioning ship program, \$139,000,000;* for the
 13 T-AO fleet oiler ship program, \$200,000,000; for the
 14 T-AGOS SURTASS ship program, \$156,500,000; for the
 15 ARS salvage ship program, ~~\$135,500,000~~ \$160,500,000; for
 16 the T-AKRX fast logistics ship program, \$184,000,000; for
 17 the T-AFS Lyness conversion program, \$37,000,000; for
 18 craft, outfitting, post delivery, cost growth, and escalation on
 19 prior year programs, ~~\$538,700,000~~ \$808,500,000; *for acqui-*
 20 *sition, construction and improvement, Coast Guard,*
 21 *\$300,000,000, to be transferred to the Coast Guard: "Acqui-*
 22 *sition, Construction and Improvements";* and in addition,
 23 ~~\$73,100,000~~ \$102,400,000 of which ~~\$15,100,000~~ shall be
 24 ~~derived by transfer from the "Trident submarine program" of~~
 25 ~~"Shipbuilding and Conversion, Navy 1979/1983", and~~

1 \$58,000,000 shall be derived by transfer from the "maritime
2 prepositioning ship programs" of "Shipbuilding and Conver-
3 sion, Navy, 1981/1985", and \$44,400,000 shall be derived
4 by transfer from the "fast logistics ship (T-AKRX) pro-
5 gram" of "Shipbuilding and Conversion, Navy, 1981/
6 1985"; and reductions in the amounts, as follows:
7 ~~\$12,000,000 for inflation offsets; \$13,700,000~~ \$7,000,000
8 for consultant, studies and analyses; and ~~\$11,900,000 for~~
9 ~~Army Guard and Reserve equipment transfer~~; in all:
10 ~~\$7,748,900,000~~ \$9,136,900,000, and in addition,
11 ~~\$73,100,000~~ \$102,400,000 to be derived by transfer, to
12 remain available for obligation until September 30, ~~1986~~
13 *1988: Provided, That of the appropriation for "Shipbuilding*
14 *and Conversion, Navy," that expired for obligation on Sep-*
15 *tember 30, 1981, \$119,000,000 shall remain available for*
16 *obligation until September 30, 1983: Provided further, That*
17 none of the funds herein provided for the construction or con-
18 version of any naval vessel to be constructed in shipyards in
19 the United States shall be expended in foreign shipyards for
20 the construction of major components of the hull or super-
21 structure of such vessel: *Provided further, That none of the*
22 funds herein provided shall be used for the construction of
23 any naval vessel in foreign shipyards.

1 OTHER PROCUREMENT, NAVY

2 For procurement, production, and modernization of sup-
3 port equipment and materials not otherwise provided for,
4 Navy ordnance and ammunition (except ordnance for new
5 aircraft, new ships, and ships authorized for conversion); the
6 purchase of not to exceed three hundred and four passenger
7 motor vehicles for replacement only; expansion of public and
8 private plants, including the land necessary therefor, and
9 such lands and interests therein, may be acquired, and con-
10 struction prosecuted thereon prior to approval of title as re-
11 quired by section 355, Revised Statutes, as amended; and
12 procurement and installation of equipment, appliances, and
13 machine tools in public and private plants; reserve plant and
14 Government and contractor-owned equipment layaway;
15 ~~\$3,692,177,000~~ \$3,884,268,000, to remain available for ob-
16 ligation until September 30, 1984.

17 PROCUREMENT, MARINE CORPS

18 For expenses necessary for the procurement, manufac-
19 ture, and modification of missiles, armament, ammunition,
20 military equipment, spare parts, and accessories therefor;
21 plant equipment, appliances, and machine tools, and installa-
22 tion thereof in public and private plants; reserve plant and
23 Government and contractor-owned equipment layaway; and
24 vehicles for the Marine Corps, including purchase of not to
25 exceed one hundred and nine passenger motor vehicles for

1 replacement only; ~~\$1,682,556,000~~ \$1,760,700,000, to
2 remain available for obligation until September 30, 1984.

3 AIRCRAFT PROCUREMENT, AIR FORCE

4 For construction, procurement, and modification of air-
5 craft and equipment, including armor and armament, special-
6 ized ground handling equipment, and training devices, spare
7 parts, and accessories therefor; specialized equipment; expan-
8 sion of public and private plants, Government-owned equip-
9 ment and installation thereof in such plants, erection of struc-
10 tures, and acquisition of land without regard to section 9774
11 of title 10, United States Code, for the foregoing purposes,
12 and such lands and interests therein, may be acquired, and
13 construction prosecuted thereon prior to the approval of title
14 as required by section 355, Revised Statutes, as amended;
15 reserve plant and Government and contractor-owned equip-
16 ment layaway; and other expenses necessary for the forego-
17 ing purposes including rents and transportation of things;
18 ~~\$13,957,598,000~~ \$14,076,898,000, of which
19 \$1,817,600,000 shall be available only for purchase of F-16
20 aircraft under a multiyear contract, ~~\$103,500,000~~ shall be
21 available only for the procurement of B-707 aircraft to pro-
22 vide for engines and parts to re-engine KC-135 aircraft,
23 ~~\$121,700,000~~ shall be available only for the procurement of
24 A-7K aircraft only if such procurement is authorized in the
25 Department of Defense Authorization Act, 1982, and

1 \$334,300,000 shall be available for contribution of the
2 United States share of the cost of the acquisition by the
3 North Atlantic Treaty Organization of an Airborne Early
4 Warning and Control System (AWACS) and, in addition, the
5 Department of Defense may make a commitment to the
6 North Atlantic Treaty Organization to assume the United
7 States share of contingent liability in connection with the
8 NATO E-3A Cooperative Programme, *and \$89,700,000*
9 *shall be derived by transfer from Aircraft Procurement, Air*
10 *Force, 1981/1983*, to remain available for obligation until
11 September 30, 1984.

12 MISSILE PROCUREMENT, AIR FORCE

13 For construction, procurement, and modification of mis-
14 siles, spacecraft, rockets, and related equipment, including
15 spare parts and accessories therefor, ground handling equip-
16 ment, and training devices; expansion of public and private
17 plants, Government-owned equipment and installation there-
18 of in such plants, erection of structures, and acquisition of
19 land without regard to section 9774 of title 10, United States
20 Code, for the foregoing purposes, and such lands and inter-
21 ests therein, may be acquired and construction prosecuted
22 thereon prior to the approval of title as required by section
23 355, Revised Statutes, as amended; reserve plant and Gov-
24 ernment and contractor-owned equipment layaway; and other
25 expenses necessary for the foregoing purposes including rents

1 and transportation of things; ~~\$4,546,550,000~~
2 \$4,193,146,000, to remain available for obligation until Sep-
3 tember 30, 1984.

4 OTHER PROCUREMENT, AIR FORCE

5 (INCLUDING TRANSFER OF FUNDS)

6 For procurement and modification of equipment (includ-
7 ing ground guidance and electronic control equipment, and
8 ground electronic and communication equipment), and sup-
9 plies, materials, and spare parts therefor, not otherwise pro-
10 vided for; the purchase of not to exceed nine hundred and
11 sixty-one passenger motor vehicles for replacement only; and
12 expansion of public and private plants, Government-owned
13 equipment and installation thereof in such plants, erection of
14 structures, and acquisition of land without regard to section
15 9774 of title 10, United States Code, for the foregoing pur-
16 poses, and such lands and interests therein, may be acquired,
17 and construction prosecuted thereon, prior to the approval of
18 title as required by section 355, Revised Statutes, as amend-
19 ed; reserve plant and Government and contractor-owned
20 equipment layaway; ~~\$5,379,288,000~~ \$5,292,589,000, and in
21 addition, \$800,000 which shall be derived by transfer from
22 "Other procurement, Air Force, 1981/1983", of which
23 \$67,200,000 shall be available only for purchase of AN/
24 TRC-170 radios under a multiyear contract and for related

1 support, to remain available for obligation until September
2 30, 1984.

3 PROCUREMENT, DEFENSE AGENCIES

4 For expenses of activities and agencies of the Depart-
5 ment of Defense (other than the military departments) neces-
6 sary for procurement, production, and modification of equip-
7 ment, supplies, materials, and spare parts therefor, not other-
8 wise provided for; the purchase of not to exceed three hun-
9 dred and eighty-eight passenger motor vehicles of which two
10 hundred and forty-three shall be for replacement only; expan-
11 sion of public and private plants, equipment, and installation
12 thereof in such plants, erection of structures, and acquisition
13 of land for the foregoing purposes, and such lands and inter-
14 ests therein, may be acquired, and construction prosecuted
15 thereon prior to the approval of title as required by section
16 355, Revised Statutes, as amended; reserve plant and Gov-
17 ernment and contractor-owned equipment layaway;
18 ~~\$511,500,000~~ \$519,700,000, to remain available for obliga-
19 tion until September 30, 1984.

28

1 TITLE V
2 RESEARCH, DEVELOPMENT, TEST, AND
3 EVALUATION

4 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION,
5 ARMY

6 For expenses necessary for basic and applied scientific
7 research, development, test, and evaluation, including main-
8 tenance, rehabilitation, lease, and operation of facilities and
9 equipment, as authorized by law; ~~\$3,577,119,000~~
10 \$3,764,409,000, to remain available for obligation until Sep-
11 tember 30, 1983.

12 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION,
13 NAVY

14 For expenses necessary for basic and applied scientific
15 research, development, test, and evaluation, including main-
16 tenance, rehabilitation, lease, and operation of facilities and
17 equipment, as authorized by law; ~~\$5,518,545,000~~
18 \$6,118,579,000, to remain available for obligation until Sep-
19 tember 30, 1983.

20 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION,
21 AIR FORCE

22 For expenses necessary for basic and applied scientific
23 research, development, test, and evaluation, including main-
24 tenance, rehabilitation, lease, and operation of facilities and
25 equipment, as authorized by law; ~~\$6,553,010,000~~

1 \$9,088,906,000, to remain available for obligation until Sep-
2 tember 30, 1983.

3 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION,
4 DEFENSE AGENCIES

5 For expenses of activities and agencies of the Depart-
6 ment of Defense (other than the military departments), neces-
7 sary for basic and applied scientific research, development,
8 test, and evaluation; advanced research projects as may be
9 designated and determined by the Secretary of Defense, pur-
10 suant to law; maintenance, rehabilitation, lease, and oper-
11 ation of facilities and equipment, as authorized by law;
12 ~~\$1,613,204,000~~ \$1,845,495,000, to remain available for ob-
13 ligation until September 30, 1983: *Provided*, That such
14 amounts as may be determined by the Secretary of Defense
15 to have been made available in other appropriations available
16 to the Department of Defense during the current fiscal year
17 for programs related to advanced research may be transferred
18 to and merged with this appropriation to be available for the
19 same purposes and time period: *Provided further*, That such
20 amounts of this appropriation as may be determined by the
21 Secretary of Defense may be transferred to carry out the
22 purposes of advanced research to those appropriations for
23 military functions under the Department of Defense which
24 are being utilized for related programs to be merged with and

1 to be available for the same time period as the appropriation
2 to which transferred.

3 DIRECTOR OF TEST AND EVALUATION, DEFENSE

4 For expenses, not otherwise provided for, of independ-
5 ent activities of the Director of Defense Test and Evaluation
6 in the direction and supervision of test and evaluation, includ-
7 ing initial operational testing and evaluation; and perform-
8 ance of joint testing and evaluation; and administrative ex-
9 penses in connection therewith; \$53,000,000, to remain
10 available for obligation until September 30, 1983.

11 TITLE VI

12 SPECIAL FOREIGN CURRENCY PROGRAM

13 For payment in foreign currencies which the Treasury
14 Department determines to be excess to the normal require-
15 ments of the United States for expenses in carrying out pro-
16 grams of the Department of Defense, as authorized by law;
17 \$3,083,000, to remain available for obligation until Septem-
18 ber 30, 1983: *Provided*, That this appropriation shall be
19 available in addition to other appropriations to such Depart-
20 ment, for payments in the foregoing currencies.

21 TITLE VII

22 GENERAL PROVISIONS

23 SEC. 701. The expenditure of any appropriation under
24 this Act for any consulting service through procurement con-
25 tract, pursuant to 5 U.S.C 3109, shall be limited to those

1 contracts where such expenditures are a matter of public
2 record and available for public inspection, except where oth-
3 erwise provided under existing law, or under existing Execu-
4 tive order issued pursuant to existing law.

5 SEC. 702. No part of any appropriation contained in this
6 Act shall be used for publicity or propaganda purposes not
7 authorized by the Congress.

8 SEC. 703. During the current fiscal year, the Secretary
9 of Defense and the Secretaries of the Army, Navy, and Air
10 Force, respectively, if they should deem it advantageous to
11 the national defense, and if in their opinions the existing facil-
12 ities of the Department of Defense are inadequate, are au-
13 thorized to procure services in accordance with section 3109
14 of title 5, United States Code, under regulations prescribed
15 by the Secretary of Defense, and to pay in connection there-
16 with travel expenses of individuals, including actual transpor-
17 tation and per diem in lieu of subsistence while traveling from
18 their homes or places of business to official duty stations and
19 return as may be authorized by law: *Provided*, That such
20 contracts may be renewed annually.

21 Sec. 704. During the current fiscal year, provisions of
22 law prohibiting the payment of compensation to, or employ-
23 ment of, any person not a citizen of the United States shall
24 not apply to personnel of the Department of Defense.

1 SEC. 705. Appropriations contained in this Act shall be
2 available for insurance of official motor vehicles in foreign
3 countries, when required by laws of such countries; payments
4 in advance of expenses determined by the investigating offi-
5 cer to be necessary and in accord with local custom for con-
6 ducting investigations in foreign countries incident to matters
7 relating to the activities of the department concerned; reim-
8 bursement to General Services Administration for security
9 guard services for protection of confidential files; and all nec-
10 essary expenses, at the seat of government of the United
11 States of America or elsewhere, in connection with communi-
12 cation and other services and supplies as may be necessary to
13 carry out the purposes of this Act.

14 SEC. 706. Any appropriation available to the Army,
15 Navy, or Air Force may, under such regulations as the Sec-
16 retary concerned may prescribe, be used for expenses inci-
17 dent to the maintenance, pay, and allowances of prisoners of
18 war, other persons in Army, Navy, or Air Force custody
19 whose status is determined by the Secretary concerned to be
20 similar to prisoners of war, and persons detained in such cus-
21 tody pursuant to Presidential proclamation.

22 SEC. 707. Appropriations available to the Department
23 of Defense for the current fiscal year for maintenance or con-
24 struction shall be available for acquisition of land or interest

1 therein as authorized by section 2672 or 2675 of title 10,
2 United States Code.

3 SEC. 708. Appropriations for the Department of De-
4 fense for the current fiscal year shall be available (a) for
5 transportation to primary and secondary schools of minor de-
6 pendants of military and civilian personnel of the Department
7 of Defense as authorized for the Navy by section 7204 of title
8 10, United States Code; (b) for expenses in connection with
9 administration of occupied areas; (c) for payment of rewards
10 as authorized for the Navy by section 7209(a) of title 10,
11 United States Code, for information leading to the discovery
12 of missing naval property or the recovery thereof; (d) for pay-
13 ment of deficiency judgments and interests thereon arising
14 out of condemnation proceedings; (e) for leasing of buildings
15 and facilities including payment of rentals for special purpose
16 space at the seat of government, and in the conduct of field
17 exercises and maneuvers or, in administering the provisions
18 of title 43, United States Code, section 315q, rentals may be
19 paid in advance; (f) payments under contracts for mainte-
20 nance of tools and facilities for twelve months beginning at
21 any time during the fiscal year; (g) maintenance of defense
22 access roads certified as important to national defense in ac-
23 cordance with section 210 of title 23, United States Code; (h)
24 for the purchase of milk for enlisted personnel of the Depart-
25 ment of Defense heretofore made available pursuant to sec-

tion 1446a, title 7, United States Code, and the cost of milk so purchased, as determined by the Secretary of Defense, shall be included in the value of the commuted ration; (i) transporting civilian clothing to the home of record of selective service inductees and recruits on entering the military services; (j) payments under leases for real or personal property, including maintenance thereof when contracted for as a part of the lease agreement, for twelve months beginning at any time during the fiscal year; (k) pay and allowances of not to exceed nine persons, including personnel detailed to International Military Headquarters and Organizations, at rates provided for under section 625(d)(1) of the Foreign Assistance Act of 1961, as amended; (l) the purchase of right-hand-drive vehicles not to exceed \$12,000 per vehicle; ~~(m) for payments for depot maintenance contracts for twelve months beginning at any time during the fiscal year; (n) for payment of unusual cost overruns incident to ship overhaul, maintenance, and repair for ships inducted into industrial fund activities or contracted for in prior fiscal years: *Provided*, That the Secretary of Defense shall notify the Congress promptly prior to obligation of any such payments; and (o) for payments from annual appropriations to industrial fund activities and/or under contract for changes in scope of ship overhaul, maintenance, and repair after expiration of such appropri-~~

1 ~~ations, for such work either inducted into the industrial fund~~
2 ~~activity or contracted for in that fiscal year.~~

3 SEC. 709. Appropriations for the Department of De-
4 fense for the current fiscal year shall be available for: (a)
5 donations of not to exceed \$25 to each prisoner upon each
6 release from confinement in military or contract prison and to
7 each person discharged for fraudulent enlistment; (b) author-
8 ized issues of articles to prisoners, applicants for enlistment
9 and persons in military custody; (c) subsistence of selective
10 service registrants called for induction, applicants for enlist-
11 ment, prisoners, civilian employees as authorized by law, and
12 supernumeraries when necessitated by emergent military cir-
13 cumstances; (d) reimbursement for subsistence of enlisted
14 personnel while sick in hospitals; (e) expenses of prisoners
15 confined in nonmilitary facilities; (f) military courts, boards,
16 and commissions; (g) utility services for buildings erected at
17 private cost, as authorized by law, and buildings on military
18 reservations authorized by regulations to be used for welfare
19 and recreational purposes; (h) exchange fees, and losses in
20 the accounts of disbursing officers or agents in accordance
21 with law; (i) expenses of Latin American cooperation as au-
22 thorized for the Navy by law (10 U.S.C. 7208); and (j) ex-
23 penses of apprehension and delivery of deserters, prisoners,
24 and members absent without leave, including payment of re-
25 wards of not to exceed \$75 in any one case.

1 SEC. 710. The Secretary of Defense and each purchas-
2 ing and contracting agency of the Department of Defense
3 shall assist American small and minority-owned business to
4 participate equitably in the furnishing of commodities and
5 services financed with funds appropriated under this Act by
6 increasing, to an optimum level, the resources and number of
7 personnel jointly assigned to promoting both small and mi-
8 nority business involvement in purchases financed with funds
9 appropriated herein, and by making available or causing to be
10 made available to such businesses, information, as far in ad-
11 vance as possible, with respect to purchases proposed to be
12 financed with funds appropriated under this Act, and by as-
13 sisting small and minority business concerns to participate
14 equitably as subcontractors on contracts financed with funds
15 appropriated herein, and by otherwise advocating and provid-
16 ing small and minority business opportunities to participate in
17 the furnishing of commodities and services financed with
18 funds appropriated by this Act.

19 SEC. 711. No part of any appropriation contained in this
20 Act shall remain available for obligation beyond the current
21 fiscal year unless expressly so provided herein.

22 SEC. 712. During the current fiscal year no funds avail-
23 able to agencies of the Department of Defense shall be used
24 for the operation, acquisition, or construction of new facilities
25 or equipment for new facilities in the continental limits of the

1 United States for metal scrap bailing or shearing or for melt-
2 ing or sweating aluminum scrap unless the Secretary of De-
3 fense or an Assistant Secretary of Defense designated by him
4 determines, with respect to each facility involved, that the
5 operation of such facility is in the national interest.

6 SEC. 713. (a) During the current fiscal year, the Presi-
7 dent may exempt appropriations, funds, and contract authori-
8 zations, available for military functions under the Depart-
9 ment of Defense, from the provisions of subsection (c) of sec-
10 tion 3679 of the Revised Statutes, as amended, whenever he
11 deems such action to be necessary in the interest of national
12 defense.

13 (b) Upon determination by the President that such
14 action is necessary, the Secretary of Defense is authorized to
15 provide for the cost of an airborne alert as an excepted ex-
16 pense in accordance with the provisions of section 3732 of
17 the Revised Statutes (41 U.S.C. 11).

18 (c) Upon determination by the President that it is neces-
19 sary to increase the number of military personnel on active
20 duty subject to existing laws beyond the number for which
21 funds are provided in this Act, the Secretary of Defense is
22 authorized to provide for the cost of such increased military
23 personnel, as an excepted expense in accordance with the
24 provisions of section 3732 of the Revised Statutes (41 U.S.C.
25 11).

1 (d) The Secretary of Defense shall immediately advise
2 Congress of the exercise of any authority granted in this sec-
3 tion, and shall report monthly on the estimated obligations
4 incurred pursuant to subsections (b) and (c).

5 SEC. 714. No appropriation contained in this Act shall
6 be available in connection with the operation of commissary
7 stores of the agencies of the Department of Defense for the
8 cost of purchase (including commercial transportation in the
9 United States to the place of sale but excluding all transpor-
10 tation outside the United States) and maintenance of operat-
11 ing equipment and supplies, and for the actual or estimated
12 cost of utilities as may be furnished by the Government and
13 of shrinkage, spoilage, and pilferage of merchandise under
14 the control of such commissary stores, except as authorized
15 under regulations promulgated by the Secretaries of the mili-
16 tary departments concerned with the approval of the Secre-
17 tary of Defense, which regulations shall provide for reim-
18 bursement therefor to the appropriations concerned and, not-
19 withstanding any other provision of law, shall provide for the
20 adjustment of the sales prices in such commissary stores to
21 the extent necessary to furnish sufficient gross revenues from
22 sales of commissary stores to make such reimbursement: *Pro-*
23 *vided*, That under such regulations as may be issued pursuant
24 to this section all utilities may be furnished without cost to
25 the commissary stores outside the continental United States

1 and in Alaska: *Provided further*, That no appropriation con-
2 tained in this Act shall be available to pay any costs incurred
3 by any commissary store or other entity acting on behalf of
4 any commissary store in connection with obtaining the face
5 value amount of manufacturer or vendor cents-off discount
6 coupons unless all fees or moneys received for handling or
7 processing such coupons are reimbursed to the appropriation
8 charged with the incurred costs: *Provided further*, That no
9 appropriation contained in this Act shall be available in con-
10 nection with the operation of commissary stores within the
11 continental United States unless the Secretary of Defense
12 has certified that items normally procured from commissary
13 stores are not otherwise available at a reasonable distance
14 and a reasonable price in satisfactory quality and quantity to
15 the military and civilian employees of the Department of De-
16 fense.

17 SEC. 715. No part of the appropriations in this Act shall
18 be available for any expense of operating aircraft under the
19 jurisdiction of the armed forces for the purpose of proficiency
20 flying, as defined in Department of Defense Directive
21 1340.4, except in accordance with regulations prescribed by
22 the Secretary of Defense. Such regulations (1) may not re-
23 quire such flying except that required to maintain proficiency
24 in anticipation of a member's assignment to combat oper-
25 ations and (2) such flying may not be permitted in cases of

1 members who have been assigned to a course of instruction of
2 ninety days or more.

3 SEC. 716. No part of any appropriation contained in this
4 Act shall be available for expense of transportation, packing,
5 crating, temporary storage, drayage, and unpacking of house-
6 hold goods and personal effects in any one shipment having a
7 net weight in excess of thirteen thousand five hundred
8 pounds.

9 SEC. 717. Vessels under the jurisdiction of the Depart-
10 ment of Commerce, the Department of the Army, the De-
11 partment of the Air Force, or the Department of the Navy
12 may be transferred or otherwise made available without re-
13 imbursement to any such agencies upon the request of the
14 head of one agency and the approval of the agency having
15 jurisdiction of the vessels concerned.

16 SEC. 718. Not more than 20 per centum of the appro-
17 priations in this Act which are limited for obligation during
18 the current fiscal year shall be obligated during the last two
19 months of the fiscal year: *Provided*, That this section shall
20 not apply to obligations for support of active duty training of
21 civilian components or summer camp training of the Reserve
22 Officers' Training Corps, or the National Board for the Pro-
23 motion of Rifle Practice, Army.

24 SEC. 719. During the current fiscal year the agencies of
25 the Department of Defense may accept the use of real prop-

1 erty from foreign countries for the United States in accord-
2 ance with mutual defense agreements or occupational ar-
3 rangements and may accept services furnished by foreign
4 countries as reciprocal international courtesies or as services
5 customarily made available without charge; and such agen-
6 cies may use the same for the support of the United States
7 forces in such areas without specific appropriation therefor.

8 In addition to the foregoing, agencies of the Department
9 of Defense may accept real property, services, and commod-
10 ities from foreign countries for the use of the United States in
11 accordance with mutual defense agreements or occupational
12 arrangements and such agencies may use the same for the
13 support of the United States forces in such areas, without
14 specific appropriations therefor: *Provided*, That the foregoing
15 authority shall not be available for the conversion of heating
16 plants from coal to oil at defense facilities in Europe: *Pro-*
17 *vided further*, That within thirty days after the end of each
18 quarter the Secretary of Defense shall render to Congress
19 and to the Office of Management and Budget a full report of
20 such property, supplies, and commodities received during
21 such quarter.

22 SEC. 720. During the current fiscal year, appropriations
23 available to the Department of Defense for research and de-
24 velopment may be used for the purposes of section 2353 of
25 title 10, United States Code, and for purposes related to re-

1 search and development for which expenditures are specifi-
2 cally authorized in other appropriations of the service con-
3 cerned.

4 SEC. 721. No appropriation contained in this Act shall
5 be available for the payment of more than 75 per centum of
6 charges of educational institutions for tuition or expenses of
7 off-duty training of military personnel (except with regard to
8 such charges of educational institutions (a) for enlisted per-
9 sonnel in the pay grade E-5 or higher with less than 14
10 years' service, for which payment of 90 per centum may be
11 made or (b) for military personnel in off-duty high school
12 completion programs, for which payment of 100 per centum
13 may be made), nor for the payment of any part of tuition or
14 expenses for such training for commissioned personnel who
15 do not agree to remain on active duty for two years after
16 completion of such training.

17 SEC. 722. No part of the funds appropriated herein shall
18 be expended for the support of any formally enrolled student
19 in basic courses of the senior division, Reserve Officers'
20 Training Corps, who has not executed a certificate of loyalty
21 or loyalty oath in such form as shall be prescribed by the
22 Secretary of Defense.

23 SEC. 723. No part of any appropriation contained in this
24 Act, except for small purchases in amounts not exceeding
25 \$10,000, shall be available for the procurement of any article

1 of food, clothing, cotton, woven silk or woven silk blends,
2 spun silk yarn for cartridge cloth, synthetic fabric or coated
3 synthetic fabric, or wool (whether in the form of fiber or yarn
4 or contained in fabrics, materials, or manufactured articles),
5 or specialty metals including stainless steel flatware, not
6 grown, reprocessed, reused, or produced in the United States
7 or its possessions, except to the extent that the Secretary of
8 the Department concerned shall determine that satisfactory
9 quality and sufficient quantity of any articles of food or cloth-
10 ing or any form of cotton, woven silk and woven silk blends,
11 spun silk yarn for cartridge cloth, synthetic fabric or coated
12 synthetic fabric, wool, or specialty metals including stainless
13 steel flatware, grown, reprocessed, reused, or produced in the
14 United States or its possessions cannot be procured as and
15 when needed at United States market prices and except pro-
16 curements outside the United States in support of combat
17 operations, procurements by vessels in foreign waters, and
18 emergency procurements or procurements of perishable foods
19 by establishments located outside the United States for the
20 personnel attached thereto. ~~Neither shall any part of appro-~~
21 ~~priations contained in this Act be used to facilitate the sale of~~
22 ~~optional uniform items by military clothing sales stores or by~~
23 ~~the Department of Defense operated exchange system stores:~~
24 *Provided*, That nothing herein shall preclude the procure-
25 ment of specialty metals or chemical warfare protective

1 clothing produced outside the United States or its possessions
2 when such procurement is necessary to comply with agree-
3 ments with foreign governments requiring the United States
4 to purchase supplies from foreign sources for the purposes of
5 offsetting sales made by the United States Government or
6 United States firms under approved programs serving de-
7 fense requirements or where such procurement is necessary
8 in furtherance of the standardization and interoperability of
9 equipment requirements within NATO so long as such agree-
10 ments with foreign governments comply, where applicable,
11 with the requirements of section 36 of the Arms Export Con-
12 trol Act and with section 814 of the Department of Defense
13 Appropriation Authorization Act, 1976: *Provided further,*
14 That nothing herein shall preclude the procurement of foods
15 manufactured or processed in the United States or its posses-
16 sions: *Provided further,* That no funds herein appropriated
17 shall be used for the payment of a price differential on con-
18 tracts hereafter made for the purpose of relieving economic
19 dislocations ~~other than certain contracts not involving fuel~~
20 ~~made on a test basis by the Defense Logistics Agency with a~~
21 ~~cumulative value not to exceed \$5,000,000,000, as may be~~
22 ~~determined by the Secretary of Defense pursuant to existing~~
23 ~~laws and regulations as not to be inappropriate therefor by~~
24 ~~reason of national security considerations: *Provided further,*~~
25 That the Secretary specifically determines that there is a rea-

1 sonable expectation that offers will be obtained from a suffi-
2 cient number of eligible concerns so that awards of such con-
3 tracts will be made at a reasonable price and that no award
4 shall be made for such contracts if the price differential ex-
5 ceeds 5 per centum: *Provided further*, That none of the funds
6 appropriated in this Act shall be used except that, so far as
7 practicable, all contracts shall be awarded on a formally ad-
8 vertised competitive bid basis to the lowest responsible
9 bidder.

10 SEC. 724. None of the funds appropriated by this Act
11 shall be used for the construction, replacement, or reactiva-
12 tion of any bakery, laundry, or drycleaning facility in the
13 United States, its territories or possessions, as to which the
14 Secretary of Defense does not certify in writing, giving his
15 reasons therefor, that the services to be furnished by such
16 facilities are not obtainable from commercial sources at rea-
17 sonable rates.

18 SEC. 725. None of the funds appropriated by this Act
19 may be obligated under section 206 of title 37, United States
20 Code, for inactive duty training pay of a member of the Na-
21 tional Guard or a member of a reserve component of a uni-
22 formed service for more than four periods of equivalent train-
23 ing, instruction, duty or appropriate duties that are performed
24 instead of that member's regular period of instruction or reg-
25 ular period appropriate duty.

1 SEC. 726. Appropriations contained in this Act shall be
2 available for the purchase of household furnishings, and auto-
3 mobiles from military and civilian personnel on duty outside
4 the continental United States, for the purpose of resale at
5 cost to incoming personnel, and for providing furnishings,
6 without charge, in other than public quarters occupied by
7 military or civilian personnel of the Department of Defense
8 on duty outside the continental United States or in Alaska,
9 upon a determination, under regulations approved by the
10 Secretary of Defense, that such action is advantageous to the
11 Government.

12 SEC. 727. During the current fiscal year, appropriations
13 available to the Department of Defense for pay of civilian
14 employees shall be available for uniforms, or allowances
15 therefor, as authorized by law (5 U.S.C. 5901; 80 Stat. 508).

16 SEC. 728. Funds provided in this Act for legislative liai-
17 son activities of the Department of the Army, the Depart-
18 ment of the Navy, the Department of the Air Force, and the
19 Office of the Secretary of Defense shall not exceed
20 \$7,500,000 for the current fiscal year: *Provided*, That this
21 amount shall be available for apportionment to the Depart-
22 ment of the Army, the Department of the Navy, the Depart-
23 ment of the Air Force, and the Office of the Secretary of
24 Defense as determined by the Secretary of Defense.

1 SEC. 729. Of the funds made available by this Act for
2 the services of the Military Airlift Command, \$100,000,000
3 shall be available only for procurement of commercial trans-
4 portation service from carriers participating in the civil re-
5 serve air fleet program; and the Secretary of Defense shall
6 utilize the services of such carriers which qualify as small
7 businesses to the fullest extent found practicable: *Provided*,
8 That the Secretary of Defense shall specify in such procure-
9 ment, performance characteristics for aircraft to be used
10 based upon modern aircraft operated by the civil reserve air
11 fleet.

12 SEC. 730. During the current fiscal year, appropriations
13 available to the Department of Defense for operation may be
14 used for civilian clothing, not to exceed \$40 in cost for enlist-
15 ed personnel: (1) discharged for misconduct, unsuitability, or
16 otherwise than honorably; (2) sentenced by a civil court to
17 confinement in a civil prison or interned or discharged as an
18 alien enemy; or (3) discharged prior to completion of recruit
19 training under honorable conditions for dependency, hardship,
20 minority, disability, or for the convenience of the Govern-
21 ment.

22 SEC. 731. No part of the funds appropriated herein shall
23 be available for paying the costs of advertising by any de-
24 fense contractor, except advertising for which payment is
25 made from profits, and such advertising shall not be consid-

1 ered a part of any defense contract cost. The prohibition con-
2 tained in this section shall not apply with respect to advertis-
3 ing conducted by any such contractor, in compliance with
4 regulations which shall be promulgated by the Secretary of
5 Defense, solely for (1) the recruitment by the contractor of
6 personnel required for the performance by the contractor of
7 obligations under a defense contract, (2) the procurement of
8 scarce items required by the contractor for the performance
9 of a defense contract, or (3) the disposal of scrap or surplus
10 materials acquired by the contractor in the performance of a
11 defense contract.

12 SEC. 732. Funds appropriated in this Act for mainte-
13 nance and repair of facilities and installations shall not be
14 available for acquisition of new facilities, or alteration, expan-
15 sion, extension, or addition of existing facilities, as defined in
16 Department of Defense Directive 7040.2, dated January 18,
17 1961, in excess of \$100,000: *Provided*, That the Secretary of
18 Defense may amend or change the said directive during the
19 current fiscal year, consistent with the purpose of this sec-
20 tion.

21 SEC. 733. Upon determination by the Secretary of De-
22 fense that such action is necessary in the national interest, he
23 may, with the approval of the Office of Management and
24 Budget, transfer not to exceed \$750,000,000 of working cap-
25 ital funds of the Department of Defense or funds made avail-

1 able in this Act to the Department of Defense for military
2 functions (except military construction) between such appro-
3 priations or funds or any subdivision thereof, to be merged
4 with and to be available for the same purposes, and for the
5 same time period, as the appropriation or fund to which
6 transferred: *Provided*, That such authority to transfer may
7 not be used unless for higher priority items, based on unfore-
8 seen military requirements, than those for which originally
9 appropriated and in no case where the item for which funds
10 are requested has been denied by Congress: *Provided further*,
11 That the Secretary of Defense shall notify the Congress
12 promptly of all transfers made pursuant to this authority.

13 SEC. 734. During the current fiscal year, cash balances
14 in working capital funds of the Department of Defense estab-
15 lished pursuant to section 2208 of title 10, United States
16 Code, may be maintained in only such amounts as are neces-
17 sary at any time for cash disbursements to be made from
18 such funds: *Provided*, That transfers may be made between
19 such funds in such amounts as may be determined by the
20 Secretary of Defense, with the approval of the Office of Man-
21 agement and Budget, except that transfers between a stock
22 fund account and an industrial fund account may not be made
23 unless the Secretary of Defense has notified the Congress of
24 the proposed transfer. Except in amounts equal to the
25 amounts appropriated to working capital funds in this Act, no

1 obligations may be made against a working capital fund to
2 procure war reserve material inventory, unless the Secretary
3 of Defense has notified the Congress prior to any such obliga-
4 tion.

5 SEC. 735. Not more than \$206,100,000 of the funds
6 appropriated by this Act shall be made available for payment
7 to the Federal Employees Compensation Fund, as estab-
8 lished by 5 U.S.C. 8147.

9 SEC. 736. No part of the funds appropriated under this
10 Act shall be used to provide a loan, guarantee of a loan, or a
11 grant to any applicant who has been convicted by any court
12 of general jurisdiction of any crime which involves the use of
13 or the assistance to others in the use of force, trespass, or the
14 seizure of property under control of an institution of higher
15 education to prevent officials or students at such an institu-
16 tion from engaging in their duties or pursuing their studies.

17 SEC. 737. None of the funds available to the Depart-
18 ment of Defense shall be utilized for the conversion of heat-
19 ing plants from coal to oil at defense facilities in Europe.

20 SEC. 738. None of the funds appropriated by this Act
21 shall be available for any research involving uninformed or
22 nonvoluntary human beings as experimental subjects.

23 SEC. 739. Appropriations for the current fiscal year for
24 operation and maintenance of the active forces shall be avail-
25 able for medical and dental care of personnel entitled thereto

1 by law or regulation (including charges of private facilities for
2 care of military personnel, except elective private treatment);
3 welfare and recreation; hire of passenger motor vehicles;
4 repair of facilities; modification of personal property; design
5 of vessels; industrial mobilization; installation of equipment in
6 public and private plants; military communications facilities
7 on merchant vessels; acquisition of services, special clothing,
8 supplies, and equipment; and expenses for the Reserve Offi-
9 cers' Training Corps and other units at educational institu-
10 tions.

11 SEC. 740. No part of the funds in this Act shall be
12 available to prepare or present a request to the Committees
13 on Appropriations for the reprogramming of funds, unless for
14 higher priority items, based on unforeseen military require-
15 ments, than those for which originally appropriated and in no
16 case where the item for which reprogramming is requested
17 has been denied by the Congress.

18 SEC. 741. No funds appropriated by this Act shall be
19 available to pay claims for nonemergency inpatient hospital
20 care provided under the Civilian Health and Medical Pro-
21 gram of the Uniformed Services for services available at a
22 facility of the uniformed services within a 40-mile radius of
23 the patient's residence: ~~Provided, That the foregoing limita-~~
24 ~~tion shall not apply to payments that supplement primary~~

1 coverage provided by other insurance plans or programs that
2 pay for at least 75 per centum of the covered services.

3 SEC. 742. None of the funds contained in this Act avail-
4 able for the Civilian Health and Medical Program of the Uni-
5 formed Services under the provisions of section 1079(a) of
6 title 10, United States Code, shall be available for (a) serv-
7 ices of pastoral counselors, or family and child counselors, or
8 marital counselors unless the patient has been referred to
9 such counselor by a medical doctor for treatment of a specific
10 problem with results of that treatment to be communicated
11 back to the physician who made such referral; (b) special edu-
12 cation, except when provided as secondary to the active psy-
13 chiatric treatment on an institutional inpatient basis; (c) ther-
14 apy or counseling for sexual dysfunctions or sexual inadequa-
15 cies; (d) treatment of obesity when obesity is the sole or
16 major condition treated; (e) reconstructive surgery (other
17 than post-mastectomy reconstructive surgery to overcome
18 the effects of trauma or disease), justified solely on psychiat-
19 ric needs including, but not limited to, mammary augmenta-
20 tion, face lifts and sex gender changes; (f) reimbursement of
21 any physician or other authorized individual provider of medi-
22 cal care in excess of the eightieth percentile of the customary
23 charges made for similar services in the same locality where
24 the medical care was furnished, as determined for physicians
25 in accordance with section 1079(h) of title 10, United States

1 Code; or (g) any service or supply which is not medically or
2 psychologically necessary to prevent, diagnose, or treat a
3 mental or physical illness, injury, or bodily malfunction as
4 assessed or diagnosed by a physician, dentist, clinical psy-
5 chologist, optometrist, podiatrist, certified nurse-midwife, as
6 appropriate, except as authorized by section 1079(a)(4) of
7 title 10, United States Code.

8 SEC. 743. Appropriations available to the Department
9 of Defense for the current fiscal year shall be available to
10 provide an individual entitled to health care under chapter 55
11 of title 10, United States Code, with one wig if the individual
12 has alopecia that resulted from treatment of malignant dis-
13 ease: *Provided*, That the individual has not previously re-
14 ceived a wig from the Government.

15 SEC. 744. Funds appropriated in this Act shall be avail-
16 able for the appointment, pay, and support of persons ap-
17 pointed as cadets and midshipmen in the two-year Senior Re-
18 serve Officers' Training Corps course in excess of the 20
19 percent limitation on such persons imposed by section
20 2107(a) of title 10, United States Code, but not to exceed 60
21 percent of total authorized scholarships.

22 SEC. 745. None of the funds appropriated by this Act
23 shall be available to pay any member of the uniformed serv-
24 ice for unused accrued leave pursuant to section 501 of title
25 37, United States Code, for more than sixty days of such

1 leave, less the number of days for which payment was previ-
2 ously made under section 501 after February 9, 1976.

3 SEC. 746. None of the funds appropriated by this Act
4 may be used to support more than 300 enlisted aides for
5 officers in the United States Armed Forces.

6 SEC. 747. No appropriation contained in this Act may
7 be used to pay for the cost of public affairs activities of the
8 Department of Defense in excess of \$28,000,000.

9 SEC. 748. None of the funds provided in this Act shall
10 be available for the planning or execution of programs which
11 utilize amounts credited to Department of Defense appropri-
12 ations or funds pursuant to the provisions of section 37(a) of
13 the Arms Export Control Act representing payment for the
14 actual value of defense articles specified in section 21(a)(1) of
15 that Act: *Provided*, That such amounts so credited shall be
16 deposited in the Treasury as miscellaneous receipts as pro-
17 vided in 31 U.S.C. 484.

18 SEC. 749. No appropriation contained in this Act shall
19 be available to fund any costs of a Senior Reserve Officers'
20 Training Corps unit—except to complete training of person-
21 nel enrolled in Military Science 4—which in its junior year
22 class (Military Science 3) has for the four preceding academic
23 years, and as of September 30, 1981, enrolled less than (a)
24 seventeen students where the institution prescribes a four-
25 year or a combination four- and two-year program; or (b)

1 twelve students where the institution prescribes a two-year
2 program: *Provided*, That, notwithstanding the foregoing limi-
3 tation, funds shall be available to maintain one Senior Re-
4 serve Officers' Training Corps unit in each State and at each
5 State-operated maritime academy: *Provided further*, That
6 units under the consortium system shall be considered as a
7 single unit for purposes of evaluation of productivity under
8 this provision: *Provided further*, That enrollment standards
9 contained in Department of Defense Directive 1215.8 for
10 Senior Reserve Officers' Training Corps units, as revised
11 during fiscal year 1981, may be used to determine compli-
12 ance with this provision, in lieu of the standards cited above.

13 SEC. 750. (a) None of the funds appropriated by this
14 Act or available in any working capital fund of the Depart-
15 ment of Defense shall be available to pay the expenses attrib-
16 utable to lodging of any person on official business away from
17 his designated post of duty, or in the case of an individual
18 described under section 5703 of title 5, United States Code,
19 his home or regular place of duty, when adequate govern-
20 ment quarters are available, but are not occupied by such
21 person.

22 (b) The limitation set forth in subsection (a) is not appli-
23 cable to employees whose duties require official travel in
24 excess of fifty percent of the total number of the basic admin-
25 istrative work weeks during the current fiscal year.

1 SEC. 751. (a) None of the funds appropriated by this
2 Act shall be available to pay the retainer pay of any enlisted
3 member of the Regular Navy, the Naval Reserve, the Regu-
4 lar Marine Corps, or the Marine Corps Reserve who is trans-
5 ferred to the Fleet Reserve or the Fleet Marine Corps Re-
6 serve under section 6330 of title 10, United States Code, on
7 or after December 31, 1977, if the provisions of section
8 6330(d) of title 10, are utilized in determining such member's
9 eligibility for retirement under section 6330(b) of title 10:
10 *Provided*, That notwithstanding the foregoing, time credit-
11 able as active service for a completed minority enlistment,
12 and an enlistment terminated within three months before the
13 end of the term of enlistment under section 6330(d) of title
14 10, prior to December 31, 1977, may be utilized in determin-
15 ing eligibility for retirement: *Provided further*, That notwith-
16 standing the foregoing, time may be credited as active service
17 in determining a member's eligibility for retirement under
18 section 6330(b) of title 10 pursuant to the provisions of the
19 first sentence of section 6330(d) of title 10 for those members
20 who had formally requested transfer to the Fleet Reserve or
21 the Fleet Marine Corps Reserve on or before October 1,
22 1977.

23 (b) None of the funds appropriated by this Act shall be
24 available to pay that portion of the retainer pay of any enlist-
25 ed member of the Regular Navy, the Naval Reserve, the

1 Regular Marine Corps, or the Marine Corps Reserve who is
2 transferred to the Fleet Reserve or the Fleet Marine Corps
3 Reserve under section 6330 of title 10, United States Code,
4 on or after December 31, 1977, which is attributable under
5 the second sentence of section 6330(d) of title 10 to time
6 which, after December 31, 1977, is not actually served by
7 such member.

8 SEC. 752. None of the funds appropriated by this Act
9 for programs of the Central Intelligence Agency shall remain
10 available for obligation beyond the current fiscal year, except
11 for funds appropriated for the Reserve, which shall remain
12 available until September 30, 1983.

13 SEC. 753. None of the funds provided by this Act may
14 be used to pay the salaries of any person or persons who
15 authorize the transfer of unobligated and deobligated appro-
16 priations into the Reserve for Contingencies of the Central
17 Intelligence Agency.

18 SEC. 754. None of the funds appropriated by this Act
19 may be used to support more than 9,901 full-time and 2,603
20 part-time military personnel assigned to or used in the sup-
21 port of Morale, Welfare, and Recreation activities as de-
22 scribed in Department of Defense Instruction 7000.12 and its
23 enclosures, dated July 17, 1974.

24 SEC. 755. During the current fiscal year, the Depart-
25 ment of Defense may guarantee loans pursuant to title III of

1 the Defense Production Act of 1950 as amended (50 U.S.C.
2 App. 2091, 64 Stat. 800) in an amount not to exceed
3 \$30,000,000.

4 SEC. 756. All obligations incurred in anticipation of the
5 appropriations and authority provided in this Act are hereby
6 ratified and confirmed if otherwise in accordance with the
7 provisions of this Act.

8 SEC. 757. None of the funds provided by this Act shall
9 be used to perform abortions except where the life of the
10 mother would be endangered if the fetus were carried to
11 term.

12 SEC. 758. During the current fiscal year, funds appro-
13 priated by this Act shall be available to provide for the lease
14 of a facility, regardless of location, designated by the Secre-
15 tary of Defense for cryptologic purposes; and for alterations,
16 improvement, and repair of that facility notwithstanding any
17 other provisions of law. Funding for lease, alterations, im-
18 provement, and repair shall not exceed one million dollars.
19 Further, funds appropriated by this Act shall be available to
20 provide support in accordance with sections 4 and 8 of the
21 Central Intelligence Agency Act of 1949, as amended (50
22 U.S.C. 403e and 403j), to certain Department of Defense
23 cryptologic personnel stationed overseas as designated by the
24 Secretary of Defense.

1 SEC. 759. None of the funds appropriated by this Act
2 shall be used for the provision, care or treatment to depend-
3 ents of members or former members of the Armed Services
4 or the Department of Defense for the elective correction of
5 minor dermatological blemishes and marks or minor anatomi-
6 cal anomalies.

7 SEC. 760. None of the funds appropriated by this Act
8 shall be available for the purchase of insignia for resale
9 unless the sales price of such insignia is adjusted to the
10 extent necessary to recover the cost of purchase of such in-
11 signia and the estimated cost of all related expenses, includ-
12 ing but not limited to management, storage, handling, trans-
13 portation, loss, disposal of obsolete material, and manage-
14 ment fees paid to the military exchange systems: *Provided,*
15 That amounts derived by the adjustment covered by the fore-
16 going limitations may be credited to the appropriations
17 against which the charges have been made to recover the
18 cost of purchase and related expense.

19 SEC. 761. All unresolved audits currently pending
20 within agencies and departments, for which appropriations
21 are made under this Act, shall be resolved not later than
22 September 30, 1981. Any new audits, involving questioned
23 expenditures, arising after the enactment of this Act shall be
24 resolved within 6 months of completing the initial audit
25 report.

1 SEC. 762. None of the funds appropriated by this Act or
2 heretofore appropriated by any other Act shall be obligated
3 or expended for the payment of anticipatory possession com-
4 pensation claims to the Federal Republic of Germany other
5 than claims listed in the 1973 agreement (commonly referred
6 to as the Global Agreement) between the United States and
7 the Federal Republic of Germany.

8 SEC. 763. Each department and agency for which ap-
9 propriations are made under this Act shall take immediate
10 action (1) to improve the collection of overdue debts owed to
11 the United States within the jurisdiction of that department
12 or agency; (2) to bill interest on delinquent debts as required
13 by the Federal Claims Collection Standards; and (3) to
14 reduce amounts of such debts written off as uncollectible.

15 SEC. 764. None of the funds appropriated by this Act
16 shall be available for a contract for studies, analyses, or con-
17 sulting services entered into without competition on the basis
18 of an unsolicited proposal unless the head of the activity re-
19 sponsible for the procurement determines:

20 (a) as a result of thorough technical evaluation,
21 only one source is found fully qualified to perform the
22 proposed work, or

23 (b) the purpose of the contract is to explore an
24 unsolicited proposal which offers significant scientific or
25 technological promise, represents the product of origi-

1 nal thinking, and was submitted in confidence by one
2 source, or

3 (c) where the purpose of the contract is to take
4 advantage of unique and significant industrial accom-
5 plishment by a specific concern, or to insure that a
6 new product or idea of a specific concern is given fi-
7 nancial support:

8 *Provided*, That this limitation shall not apply to contracts in
9 an amount of less than \$25,000, contracts related to im-
10 provements of equipment that is in development or produc-
11 tion, or contracts as to which a civilian official of the Depart-
12 ment of Defense, who has been confirmed by the Senate,
13 determines that the award of such contract is in the interest
14 of the national defense.

15 ~~SEC. 765. None of the funds appropriated by this Act~~
16 ~~shall be available to provide medical care in the United~~
17 ~~States on an inpatient basis to foreign military and diplomatic~~
18 ~~personnel or their dependents unless the Department of De-~~
19 ~~fense is reimbursed for the costs of providing such care: *Pro-*~~
20 ~~*vided*, That reimbursements for medical care covered by this~~
21 ~~section shall be credited to the appropriations against which~~
22 ~~charges have been made for providing such care.~~

23 *SEC. 765. None of the funds made available by this Act*
24 *shall be used in any way for the leasing in the United States*

1 *of military aircraft or vehicles for which suitable aircraft or*
2 *vehicles are commercially available in the private sector.*

3 SEC. 766. None of the funds appropriated by this Act
4 shall be obligated for the second career training program au-
5 thorized by Public Law 96-347.

6 SEC. 767. None of the funds appropriated or otherwise
7 made available in this Act shall be obligated or expended for
8 salaries or expenses during the current fiscal year for the
9 purposes of demilitarization of small firearms.

10 SEC. 768. During the current fiscal year, not to exceed
11 \$125,000,000 of the funds provided in this Act for the Civil-
12 ian Health and Medical Program of the Uniformed Services
13 may be used to conduct a test program in accordance with
14 the following guidelines: In carrying out the provisions of
15 sections 1079 and 1086 of title 10, United States Code, the
16 Secretary of Defense, after consulting with the Secretary of
17 Health and Human Services, may contract with organiza-
18 tions that assume responsibility for the maintenance of the
19 health of a defined population, for the purpose of experiments
20 and demonstration projects designed to determine the relative
21 advantages and disadvantages of providing pre-paid health
22 benefits: *Provided*, That such projects must be designed in
23 such a way as to determine methods of reducing the cost of
24 health benefits provided under such sections without adverse-
25 ly affecting the quality of care. Except as provided otherwise,

1 the provisions of such a contract may deviate from the cost-
2 sharing arrangements prescribed and the types of health care
3 authorized under sections 1079 and 1086, when the Secre-
4 tary of Defense determines that such a deviation would serve
5 the purpose of this section.

6 ~~SEC. 769.~~ None of the funds provided in this Act may
7 be obligated or expended to pay a person whose pay is deter-
8 mined pursuant to section 903 of title 20, United States Code
9 (section 5 of Public Law 86-91, as amended), any increase in
10 pay as the result of the establishment of any new category of
11 pay that was not in effect prior to the school year
12 ~~1979-1980.~~

13 ~~SEC. 770.~~ None of the funds provided in this Act shall
14 be available to pay a person whose pay is determined pursu-
15 ant to section 903 of title 20, United States Code (section 5
16 of Public Law 86-91, as amended), any increase in basic
17 compensation as the result of adjustments pursuant to section
18 903(e) of title 20, United States Code, in excess of 4.8 per-
19 cent of the amount such person was entitled to receive for the
20 school year ~~1980-1981.~~

21 ~~SEC. 771.~~ None of the funds available to the Depart-
22 ment of Defense by this or any other Act shall be available to
23 pay a person whose pay is determined pursuant to section
24 903 of title 20, United States Code (section 5 of Public Law
25 ~~86-91, as amended~~), any increase in pay in excess of 4.8

1 percent for the months of August through December 1981 as
2 a result of adjustments in pay made thereafter.

3 *SEC. 769. None of the funds made available by this Act*
4 *shall be used for the evaluation or procurement of new 9 mm*
5 *weapons to replace existing 0.45 and 0.38 calibre military*
6 *handguns.*

7 *SEC. 770. During the current fiscal year, for the pur-*
8 *pose of conducting a test to evaluate a capitation approach to*
9 *providing medical care and to that end for the purpose of*
10 *providing adequate funds in Department of Defense Medical*
11 *Regions 1 and 7 for medical care, including the expenses of*
12 *the Civilian Health and Medical Program of the Uniformed*
13 *Services, funds available to the Department of Defense in the*
14 *appropriation "Operation and Maintenance, Defense Agen-*
15 *cies" for expenses of the Civilian Health and Medical Pro-*
16 *gram of the Uniformed Services may be transferred to appro-*
17 *priations available to the military departments for operation*
18 *and maintenance, and funds available to the military depart-*
19 *ments for operation and maintenance may be transferred be-*
20 *tween such appropriations: Provided, That funds transferred*
21 *pursuant to this authority shall be merged with and made*
22 *available for the same purpose as the appropriation to which*
23 *transferred: Provided further, That the Secretary of Defense*
24 *shall notify the Congress promptly of all transfers made pur-*
25 *suant to this authority: Provided further, That transfer au-*

1 *thority provided herein shall be in addition to that provided*
2 *in section 733 of this Act.*

3 *SEC. 771. Not to exceed \$1,700,000 of the funds avail-*
4 *able to the Department of Defense for Reserve Personnel*
5 *shall be available for transfer to appropriations available to*
6 *the Federal Emergency Management Agency.*

7 SEC. 772. No part of any appropriation contained in this
8 Act shall be available to initiate multiyear procurement con-
9 tracts for major weapons systems except as specifically pro-
10 vided herein.

11 SEC. 773. None of the funds appropriated in this Act
12 shall be available for obligation to reimburse a contractor for
13 the cost of commercial insurance that would protect against
14 the costs of the contractor for correction of the contractor's
15 own defects in materials or workmanship or against the costs
16 of fortuitous or casualty losses resulting from such defects.

17 ~~SEC. 774. None of the funds appropriated by this Act~~
18 ~~which are available for payment of travel allowances for per~~
19 ~~diem in lieu of subsistence to enlisted personnel shall be used~~
20 ~~to pay such an allowance to any enlisted member in an~~
21 ~~amount that is more than the amount of per diem in lieu of~~
22 ~~subsistence that the enlisted member is otherwise entitled to~~
23 ~~receive minus the basic allowance for subsistence, or pro rata~~
24 ~~portion of such allowance, that the enlisted member is enti-~~
25 ~~tled to receive during any day, or portion of a day, that the~~

1 enlisted member is also entitled to be paid a per diem in lieu
2 of subsistence: *Provided*, That if an enlisted member is in a
3 travel status and is not entitled to receive a per diem in lieu
4 of subsistence because the member is furnished meals in a
5 Government mess, funds available to pay the basic allowance
6 for subsistence to such a member shall not be used to pay
7 that allowance, or pro rata portion of that allowance, for
8 each day, or portion of a day, that such enlisted member is
9 furnished meals in a Government mess.

10 SEC. 775. Effective January 1, 1982, none of the funds
11 appropriated by this Act shall be available to pay the retired
12 pay or retainer pay of a member of the Armed Forces for any
13 month who, on or after January 1, 1982, becomes entitled to
14 retired or retainer pay, in an amount that is greater than the
15 amount otherwise determined to be payable after such reduc-
16 tions as may be necessary to reflect adjusting the computa-
17 tion of retired pay or retainer pay that includes credit for a
18 part of a year of service to permit credit for a part of a year
19 of service only for such month or months actually served:
20 *Provided*, That the foregoing limitation shall not apply to any
21 member who before January 1, 1982: (a) applied for retire-
22 ment or transfer to the Fleet Reserve or Fleet Marine Corps
23 Reserve; (b) is being processed for retirement under the pro-
24 visions of chapter 61 of title 10 or who is on the temporary
25 disability retired list and thereafter retired under the provi-

1 sions of sections 1210 (c) or (d) of title 10; or (e) is retired or
2 in an inactive status and would be eligible for retired pay
3 under the provisions of chapter 67 of title 10, but for the fact
4 that the person is under 60 years of age.

5 ~~SEC. 776.~~ No part of any appropriation, funds, or other
6 authority contained in this Act shall be available for paying
7 to the Administrator of the General Services Administration
8 in excess of 50 percent of the standard level user charge
9 established pursuant to section 210(j) of the Federal Property
10 and Administrative Services Act of 1949, as amended, for
11 space and services in effect on October 1, 1981.

12 ~~SEC. 777.~~ None of the funds appropriated by this Act
13 shall be available to pay the retired pay or retainer pay of a
14 member of the Armed Forces who, on or after January 1,
15 1982, becomes entitled to retired or retainer pay, in an
16 amount that is greater than 94.8 percent of the amount to
17 which that member would otherwise be entitled.

18 ~~SEC. 778.~~ None of the funds appropriated by this Act
19 for the pay of Reserve and National Guard technicians based
20 upon their employment as technicians and their performance
21 of duty as members of the Reserve components of the Armed
22 Forces shall be available to pay such technicians a combined
23 compensation in excess of the rate payable for level V of the
24 Executive Schedule.

1 *SEC. 774. None of the funds appropriated by this Act*
2 *shall be obligated under the competitive rate program of the*
3 *Department of Defense for the transportation of household*
4 *goods to or from Alaska and Hawaii.*

5 ~~SEC. 779~~ 775. None of the funds appropriated by this
6 Act shall be available to approve a request for waiver of the
7 costs otherwise required to be recovered under the provisions
8 of section 21(e)(1)(C) of the Arms Export Control Act unless
9 the Committees on Appropriations have been notified in ad-
10 vance of the proposed waiver.

11 ~~SEC. 780.~~ None of the funds appropriated by this Act
12 shall be available to make any payments authorized under
13 the provisions of subchapter VI of chapter 53 of title 5 to any
14 prevailing rate employee who is transferred or reassigned
15 from a position in Alaska or Hawaii to a position in another
16 wage area outside Alaska or Hawaii on or after April 1,
17 1982: *Provided*, That the foregoing limitation shall not apply
18 to a prevailing rate employee who is transferred or reas-
19 signed as a result of a reduction in force or a functional or
20 organizational transfer from Alaska or Hawaii: *Provided fur-*
21 *ther*, That the foregoing limitation shall not apply to a pre-
22 vailing rate employee whose transfer or reassignment had
23 been approved prior to April 1, 1982, or who had applied for
24 a position in another wage area outside Alaska or Hawaii
25 prior to April 1, 1982, and is accepted for that position.

1 SEC. 781. None of the funds appropriated by this Act
2 shall be available after April 1, 1982, to pay for the direct or
3 indirect hiring of any locally hired non-United States citizen
4 in a position in an overseas area as specified in Department of
5 Defense Directive 1400.6 or Department of Defense Instruc-
6 tion 1400.10 if qualified United States citizens are available
7 at the overseas area and have applied for employment by the
8 Department of Defense in such a position: *Provided, That*
9 this limitation shall not apply to non-United States citizens
10 employed before April 1, 1982, or to a non-United States
11 citizen who has been recognized by the Department of De-
12 fense as a dependent of a military member or a civilian em-
13 ployee of the Department of Defense.

14 SEC. 782. None of the funds appropriated by this Act
15 shall be available for the transportation of equipment or ma-
16 teriel designated as Prepositioned Materiel Configured in
17 Unit Sets (POMCUS) in Europe in excess of four division
18 sets.

19 SEC. 783. None of the funds provided in this Act shall
20 be available for operation of the Army Medical Intelligence
21 and Information Agency after September 1, 1982.

22 SEC. 784. None of the funds provided in this Act may
23 be obligated or expended to transfer the Defense Dependents'
24 Schools to the Department of Education, or to fund the activ-
25 ities of the Advisory Council on Dependents' Education until

1 legislative proposals to repeal such transfer of the depend-
2 ents' schools are considered and acted upon by Congress.

3 ~~Sec. 785~~ 776. Notwithstanding the provisions of sec-
4 tion 505(c) of the Omnibus Budget Reconciliation Act of
5 1981, funds made available to the Department of Defense by
6 this Act for payments and arrangements authorized by sec-
7 tion 505(c) shall be administered by the Secretary of Defense
8 who shall be responsible for the conduct of programs with
9 such funds and who shall not delegate such responsibility
10 outside of the Department of Defense.

11 ~~SEC. 786~~ 777. Without regard to any other provision of
12 law limiting the amounts payable to prevailing wage rate em-
13 ployees, during the current fiscal year prevailing wage rate
14 employees employed in the Wichita, Kansas, wage area shall
15 be paid, beginning the first pay period beginning on or after
16 January 1, 1982, the wages determined as a result of the full
17 scale wage survey of that area scheduled to become effective
18 in January, 1982.

19 ~~SEC. 787.~~ Appropriations for the Department of De-
20 fense shall be available until the end of fiscal year 1983 for
21 lease of no more than six aircraft, in accordance with applica-
22 ble laws and regulations, for the purpose of providing passen-
23 ger airlift support to the Department of the Air Force Special
24 Airlift Mission, pending procurement of suitable replacements
25 for the C-140 aircraft.

1 SEC. ~~788~~ 778. None of the funds in this Act may be
2 used to transfer any article of military equipment or data
3 related to the manufacture of such equipment to a foreign
4 country prior to the approval in writing of such transfer by
5 the Secretary of the military service involved.

6 ~~SEC. 789. Funds made available in this Act for the~~
7 ~~Single Manager for Conventional Ammunition shall be used~~
8 ~~only for implementation of phase II under a reissued Depart-~~
9 ~~ment of Defense Directive 5160.65 after January 1, 1982.~~

10 ~~SEC. 790. None of the funds available in this Act shall~~
11 ~~be used by the Secretary of a military department to make a~~
12 ~~contract for the purchase of administrative motor vehicles~~
13 ~~that are manufactured outside the United States or Canada~~
14 ~~unless the contractor was selected through competitive bid-~~
15 ~~ding without a differential in favor of foreign manufacturers:~~
16 ~~Provided, That this section does not apply to contracts for~~
17 ~~amounts less than \$50,000.~~

18 ~~SEC. 791~~ 779. The expenditure of any appropriation
19 under this Act for any consulting service through procure-
20 ment contract, pursuant to 5 U.S.C. 3109, shall be limited to
21 those contracts where such expenditures are a matter of
22 public record and available for public inspection, except
23 where otherwise provided under existing law, or under exist-
24 ing Executive order issued pursuant to existing law.

1 TITLE VIII
2 RELATED AGENCIES
3 INTELLIGENCE COMMUNITY STAFF
4 For necessary expenses of the Intelligence Community
5 Staff; ~~\$12,563,000~~ \$13,563,000.
6 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND
7 DISABILITY SYSTEM FUND
8 For payment to the Central Intelligence Agency Retire-
9 ment and Disability System Fund, to maintain proper funding
10 level for continuing the operation of the Central Intelligence
11 Agency Retirement and Disability System; \$84,600,000.
12 This Act may be cited as the "Department of Defense
13 Appropriation Act, 1982".

[COMMITTEE PRINT]

Calendar No.

97TH CONGRESS
1ST SESSION

H. R.

[Report No. 97-]

AN ACT

Making appropriations for the Department of Defense for the fiscal year ending September 30, 1982, and for other purposes.

NOVEMBER (legislative day, NOVEMBER), 1981

Read twice and referred to the Committee on
Appropriations

NOVEMBER (legislative day, NOVEMBER), 1981

Reported with amendments